

REMARKS

Claims 1-41 are pending in the application. Claims 1-41 stand rejected by the examiner. Assignee traverses the rejections of the claims. Claims 42-65 have been added herein.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 4, 6, and 35 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. More specifically, the office action maintained that applicant's specification does not provide a bridge between the steps in these claims. Assignee respectfully disagrees, but to expedite prosecution of this application, assignee has amended claims 1, 4, 6, and 35 to clarify the bridge between the steps in these claims. For example, the step of determining accesses to the product page resulting from the link traversals to the product page has been inserted between the determining step and the charging step of claim 1. In addition, the subject matter of claim 3 has been added to claim 1 that further describes the charging step.

With respect to claim 4, the step of determining accesses to the page resulting from the link traversals from the advertisement to the page has been inserted between the determining step and the measuring step.

With respect to claim 6, the step of determining number of accesses to the page resulting from the link traversals from the first document to the second document has been inserted between the determining link traversals step and the charging step.

With respect to claim 35, the limitation that the access history is produced by filtering transaction logs from one or more servers to select only transactions involving a particular user ID has been inserted between the producing step and the providing step.

In view of the amendments to claims 1, 4, 6, and 35, assignee respectfully requests that the instant rejections of these claims be withdrawn and the claims proceed to issuance.

Specification

The office action contained an objection to the disclosure because the specification incorporated by reference essential subject matter. Assignee has amended herein the specification to contain the non-limiting example from the incorporated by reference patent that illustrates an environment related to measurement of sales within a computer network sales system. In view of the amendment to the specification, assignee respectfully requests that the instant objection be withdrawn and the application should proceed to issuance.

New Claims

Claims 42-65 have been added herein. New claims 42-51 depend directly or indirectly from the previously presented claim 40. The subject matter of new claims 42-51 is based upon subject matter previously presented in dependent claims 13-22.

New claim 52 is an independent claim whose subject matter is based upon a combination of claims 1 and 2 as they were presented in the previous response. New claims 53-62 depend directly or indirectly from claim 52. The subject matter of new

claims 53-62 is based upon subject matter previously presented in dependent claims 13-22.

New claim 63 is an independent claim directed to a method of charging for advertising and whose subject matter is based upon independent claim 5. New claim 64 is a means-plus-function independent claim that corresponds to claim 52. New claim 65 is a means-plus-function independent claim that corresponds to claim 63.

Claim Rejections - 35 U.S.C. § 102

The pending claims stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ferguson et al., U.S. Patent No. 5,819,092 (hereinafter referred to as Ferguson). The office action also mentioned on page 3 that the examiner disagrees with assignee's position provided in the prior office action response that the Welz reference should not be considered prior art and instead should have an effective date of October 1994 (Welz: Gary Welz, The Media Business on the WWW: The Price and Value of Advertising on the WWW). Assignee respectfully disagrees with the rejections based upon Ferguson and that Welz has an effective date of October 1994. However to expedite prosecution of this application, assignee has attached to this Amendment at Schedule 1 a Declaration of Prior Invention Under 37 C.F.R. § 1.131 whose substance had been used in the previous response to overcome certain cited references (e.g., the Catledge and Novick references). In view of the § 1.131 affidavit, assignee respectfully requests that the instant rejections be withdrawn and this case proceed to issuance.

The claims are also patentable over the cited references. For example, dependent claims 12-39 are directed to activities resulting from traversing from a first document

(e.g., an advertisement page) to a second document (e.g., a product page). The Ferguson reference does not disclose that charging is based upon traversing from a first document (e.g., an advertisement page) to a second document (e.g., a product page). Rather the Ferguson reference is directed to specifying "how usage fees (if any) should be levied and paid to content providers and users, based on usage of the online service" and how "advertisers can be charged to place advertisements on an online service." (See Ferguson, col. 18, lines 31-37). Because of such differences, these dependent claims are allowable and should proceed to issuance.

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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